

25 Miles of
CEMENT SIDEWALK
Now Being Built in Pensacola

OFFICIAL from WASHINGTON—Local rains Wednesday and Thursday, light variable winds.

THE JOURNAL'S
WANT AD WAY
Is The Way To Prosperity

VOL. XII.—NO. 119. PENSACOLA, FLORIDA, WEDNESDAY MORNING, MAY 19, 1909. PRICE, 5 CENTS.

SENSATIONAL CHARGE IS MADE BY JURORS BILL PASSES HOUSE CREATING A BOARD TO MAKE R.R. ASSESSMENTS FIGHTING IN COURTS FOR POSSESSION OF AN INFANT

U. S. Attorneys Prosecuting Muskogee Fraud Cases Are Hit Hard.

THEY ATTEMPTED TO COERCE JURY

NINE OF THE GRAND JURORS FILE PETITION WITH THE COURT IN WHICH THEY ALLEGE THE ATTORNEYS ATTEMPTED TO INTIMIDATE THEM INTO RETURNING INDICTMENTS AGAINST HASKELL—ATTORNEY GENERAL ORDERS PROSECUTION SUSPENDED.

By Associated Press. Tulsa, Okla., May 18.—Sensational allegations concerning the official conduct of Sylvester R. Rush, special assistant to the attorney general, and United States District Attorney Gregg, of the northern district of Oklahoma, were made in two petitions filed in the federal court here this afternoon in connection with the Muskogee town lot fraud case.

One of the petitions is signed by nine members of the grand jury discharged on Saturday last by Judge Marshall, on motion of District Attorney Gregg, who asserted the jury had been subjected to improper influence. The petition refutes this charge, and in turn makes an allegation against Messrs. Gregg and Rush. It alleges misconduct before the jury and efforts to intimidate and coerce the jury to return indictments against Governor Haskell and other defendants regardless of and contrary to the proof presented, and petitions the court to investigate the jurors' allegations.

DEFENSE FILES ANSWER. The defendants also filed a response to the motion of District Attorney Gregg disputing the charges of improper influence. This response alleges that Gregg has used the Tulsa World, of which it is stated he is part owner, to mould sentiment and to prejudice the court and grand jury against the defendants; that he stated he is after Haskell and associates and no one else would be prosecuted; that he stated he is a personal enemy of William T. Hutchinson and would send him to the penitentiary at all hazards; that Gregg's partners in the Tulsa World stated to prominent Tulsa men that it is a political prosecution started by William R. Hearst and Theodore Roosevelt against Haskell. The defendants assert Gregg is an improper person to conduct the present prosecution.

ATTORNEY GENERAL ORDERS PROSECUTION SUSPENDED.

Washington, May 18.—After receiving a long telegram sent by Henry E. Asp, counsel for the defendants in the Oklahoma land fraud cases to Senator Curtis of Kansas, Attorney General Wickersham today decided to suspend further proceedings in those cases pending the receipt of testimony in support of the charges alleging improper conduct on the part of the government attorneys.

LOCKET FOR MISS LEE.

Birmingham, Ala., May 18.—Commercial travelers in Birmingham have sent to Miss Daisy Lee, the young woman stenographer, who testified in the Cooper trial at Nashville, a diamond set gold locket and chain, and have written her a letter saying they appreciate the truth being told regardless of consequences and telling her they have secured her a position here that will pay more than her former employment did.

Wild Man Captured Near Prentiss, Miss.

By Associated Press. Prentiss, Miss., May 18.—Sheriff John Laird captured in the swamps near here late yesterday a man who has shunned all civilization for the past five years, and whose occasional presence in isolated communities near here with his unkempt and weird appearance earned for him the title of the "wild man."

Jas. Jeffries Getting in Fighting Condition Again

By Associated Press. Chicago, May 18.—James J. Jeffries has jumped on the scales in public for the first time since he came out of retirement and tipped the beam at 243 pounds. Jeffries announced he would weigh again before he left the city and would show whether or not he was reducing his avoirdupois. He said his

Close Friend of Lieut. Petrosino is Assassinated

By Associated Press. New York, May 18.—Marked for death, the police believe, because he had been a close friend of Lieutenant Joseph Petrosino, of the New York police department, who was assassinated in Palermo, Poggio Puccio, a cigar maker, was himself assassinated early today as he was about to enter his apartments on East Seventy-fifth street. He dropped dead on the threshold as a bullet fired over the balustrade on the floor above penetrated his body. By the time the police arrived the assassin had escaped, presumably to the roof and down through an adjoining house. The police say that the man who shot the cigar maker had been lying in wait for him, apparently for several hours.

CAPT. HAINS NOW PRISONER IN SING SING

ARMY OFFICER BEGINS SERVING HIS TERM—MANIFESTED INTEREST IN THE PRISON BUILDING AS HE ENTERED IT.

By Associated Press. Ossining, N. Y., May 18.—Captain Peter C. Hains, Jr., is now a prisoner in Sing Sing. Although he manifested considerable interest in the prison building as he walked from the railroad station to the gate, he preserved absolute silence. On entering the prison the captain's pedigree was taken by the clerk, the number 2002 was assigned to him, he was equipped with a suit of prison clothing and then sent to the prison barber to be shaved. Later he was sent to his cell. Tomorrow he will be examined by the prison physician and if found able to work, will be assigned to some task.

C. W. ELIOT LAYS ASIDE THE ROBE OF OFFICE

PRESIDENT OF HARVARD COLLEGE RETIRES WITH CHARACTERISTIC SIMPLICITY—TO BE SUCCEEDED TODAY BY A. L. LOWELL.

By Associated Press. Cambridge, Mass., May 18.—Charles William Eliot, at the age of seventy-five, laid aside the robe of office he had worn with so much honor for forty years as president of Harvard University, and with characteristic simplicity, today stepped back into private life. Tomorrow Abbot Lawrence Lowell will assume office.

PROMINENT MAN SUICIDES.

Sumter, S. C., May 18.—Major H. Frank Wilson, master in equity for Sumter county, shot and instantly killed himself today. He was prominent in Sumter and had held various offices.

He was covered with only a scanty portion of ragged garments, his nails were five inches long and his hair and beard reached almost to his waist. He refused to eat cooked food when it was offered to him. He was identified as Marvin Whitehead, whose relatives have long been in search of him. His family is a prominent one in this section.

THE PRESIDENT LEAVES ON HIS SOUTHERN TRIP

IS ABOARD HIS PRIVATE CAR OLYMPIA, AND WILL AWAKEN THIS MORNING IN PETERSBURG, VA.

By Associated Press. Washington, May 18.—President Taft sleeps tonight aboard the private car Olympia. Before he awakens he will have begun the first trip to the south since his inauguration. The president will be all ready for the reception committee when Petersburg, Va., is reached about nine o'clock. Tomorrow he will attend the unveiling at Fort Mahone, near Petersburg, of the monument erected to the memory of Pennsylvania soldiers and will deliver an address. Tomorrow night the presidential party will continue on to Charlotte, N. C., where he will attend the Mecklenburg celebration on Thursday.

SHARP CONTEST IN SENATE OVER BAILEY'S BILL

DEMOCRATS HAVE BEEN JOINED BY SOME "PROGRESSIVE" REPUBLICANS, WHO WILL VOTE FOR THE INCOME TAX.

By Associated Press. Washington, May 18.—That there will be a sharp contest in the senate over the proposition to refer to the judiciary committee the amendment to the tariff bill introduced by Senator Bailey, providing for an income tax, is indicated by a coalition of the Democrats and some of the "progressive" republicans, which became known today. The vote probably will be the closest that will occur in voting the tariff bill.

The Democratic strength is 31 votes, all of which are pledged to support the amendment. Bailey is counting upon from sixteen to seventeen Republican votes to secure the adoption of the amendment. Fifteen will be sufficient if the Democrats vote solidly for the amendment. On the other hand the "conservative" Republicans in charge of the tariff bill say they have made some inroads upon the "progressive" Republicans, and that upon the question of referring the whole subject of the income tax to the judiciary committee for report at the next regular session they already have forty-five votes pledged. The plan is to provide for a flat tax of two or three per cent upon incomes above \$5,000, and upon incomes of corporations above the figures named. In order that there will be no doubt about the taxation of individuals a provision will be made for reductions where the tax upon corporation stock has been paid through the corporation itself.

DECISION REVERSED.

Montgomery, Ala., May 18.—The supreme court today reversed the case of J. F. Turner, member of the legislature from Tallapoosa county, giving him a new trial. He had been sentenced to five years for the killing of Jack Henderson in Dadeville, Ala. The effect of this will be to allow Turner to sit in the extra session of the legislature in July, even though thus charged, the new trial placing him back in the attitude of an unconvicted man.

Will Be Composed of Attorney General, Comptroller and Pres. R. R. Com.

TAKES POWER FROM THE COMPTROLLER

STOKES INTRODUCES MEASURE AMENDING LAW RELATING TO PERSONS BEATING WAY ON TRAINS—HOUSE PASSES BILL, GIVING THE RAILROAD COMMISSION MORE POWER AND STRENGTHENING THE LAW.

By Fred M. Allen. Tallahassee, May 18.—The house this afternoon passed the Farris bill placing the duty of assessing railroad, telegraph and sleeping car companies upon a board composed of the comptroller, attorney general and president of the railroad commission, instead of placing the burden almost all on the comptroller, as at present. It passed by a vote of 55 to 1.

A memorial, by Tidwell, asking congress to make an appropriation for improvement of the Chattahoochee river as far up as Planter's landing in Jackson county, was passed. Stokes introduced a bill relating to persons beating their way on railroad trains. Nearly the entire morning session of the senate was today occupied by the discussion of the general pension bill. The discussion was not brought to a conclusion, but was finally postponed until tomorrow.

The house passed the Davis bill relating to the railroad commission without a dissenting vote after a long discussion. This bill greatly strengthens the existing law and is an important measure.

THE SENATE.

Nineteen senators were present when the senate was called to order at 9:30 o'clock. Bills were introduced as follows: 452. Humphries, relating to married women's acknowledged debts. 453. McLeod, regarding public roads in Hamilton county.

As an order of the day the senate took up senate bill No. 148, Buckman, relating to the admission of attorneys to practice. To engrossing committee.

On motion of Senator Massey the senate proceeded to the consideration of bills on third reading.

Senate bill No. 88, Dayton, to provide for the temporary transfer of money from one county fund to another. Lost 14 to 13.

139. Dayton, prohibiting use of nets with less than 11-2 inch mesh. 14. Dayton, for relief of Geo. R. Carter, sheriff of Citrus county, for loss of fees amounting to \$2,087.03. Passed, 19 to 4.

136. Cook, in relation to the entry of judgments and decrees on super-seas and appeal bonds against principals and sureties, and the issuance of execution thereon. Passed.

315. Dayton, to provide for clerical aid for the judge of the sixth judicial circuit. Passed, 14 to 13.

108. Crill, amending the pure food and drug act. Passed.

As a special order the senate then proceeded to the consideration of the Hosford pension bill.

An amendment was offered by senator Buckman striking out the qualification of less than \$5,000 real and personal property.

Senator Baker said that the committee spent days of careful work on the measure. Senator Humphries stated that in the state's present condition the really needy and not simply the deserving should receive a pension. Mr. Buckman spoke in favor of changing the property qualification so that only veterans having a gross annual income of less than \$600 should be made eligible.

Senator Harris made an eloquent speech in favor of retrenchment and of the bill under discussion. While paying highest tribute to the aged veterans, he pointed out that the pension roll is increasing at the rate of two a day under the present law. He held that under the proposed law the pension millage could be held down to four. After hearing the arguments senator Buckman withdrew his amendments.

Senator Johnson charged that under the present law deserters have swapped proofs, and by this means got on the pension roll.

The senate then decided to continue consideration of the matter tomorrow.

THE HOUSE.

A quorum was present when the house was called to order at 9:05 o'clock by Speaker Farris. Prayer was offered by the chaplain. The house received a communication from Judge J. B. Wall protesting that he had not held anything except lawful means of transportation in the form of mileage, mostly over the A. C. L. rather than the Seaboard.

President Taft Makes Several Appointments

By Associated Press. Washington, May 18.—President Taft today announced the nomination of William S. Washburn as civil service commissioner. James T. Williams, resigned. He was for years a civil service commission employee here and served as civil service commissioner in the Philippines under Mr. Taft. Today's nomination is based on his Philippine record.

President Taft also sent to the senate the nomination of Walter E. Clark, a Washington newspaper man, attached to the New York Sun bureau, as governor of Alaska, to succeed Governor Hoggatt, resigned.

The president also sent the following nominations to the senate: U. S. Marshal for the Northern District of Ohio: Hyman D. Davis. Appraiser of Merchandise at Cleveland, Ohio: Herbert J. Granby. Collectors of Internal Revenue: Alfred N. Rodway, 18th district of Ohio; Willis G. Bowland, 118th district of Ohio; Collector of customs for Montana and Idaho: John G. Bair, of Montana.

Receiver of public moneys at Woodward, Okla.: Charles G. Hoag, of Oklahoma.

FIRST NIGHT SESSION HELD BY THE SENATE

SEVENTEEN MEASURES WERE PASSED, ONE OF WHICH WAS BILL BY STOKES, RELATING TO ESCAMBIA COUNTY COURT.

By Fred M. Allen.

Tallahassee, May 18.—The senate held its first night session tonight and passed seventeen measures, mostly of a local character.

Among those passed was Stokes's bill organizing the county court in Escambia. Bills by Crill changing the name of the Florida female college to Florida State College for Women, and the Florida State University to the University of Florida, were also adopted.

BOLD ROBBERS BURGLARIZE AN EXPRESS CAR

BOUND MESSENGER AND LOCKED HIM IN CHEST, THEN LEISURELY WENT THROUGH CAR, LEAVING IT WHEN TRAIN REACHED AUGUSTA.

By Associated Press.

Augusta, Ga., May 18.—Two robbers boarded Southern passenger train No. 17 at Warrenville, S. C., two miles out tonight, got the drop on Express Messenger Thomas L. Hutto, knocked him senseless, plied his arms behind his back, took the keys, threw him into an empty express chest, locked him therein, and ransacked the car.

The train carries through express and mail from Charleston and Columbia to Augusta. E. C. Burrell agent of the Southern Express Company at Augusta, states the records show the robbers secured about \$200. This is the smallest amount on record, as the average currency carried is about \$2,500 to \$10,000. The robbers rode into Augusta and left the train on Broad street in the center of the city.

The robbery was not discovered until the negro porters entered the car to unload it and heard Hutto kicking inside the chest.

TALLAHASSEE IN GLOOM: MRS. P. W. WILSON DEAD.

Special To The Journal.

Tallahassee, May 18.—The whole community is in gloom today because of the death of Mrs. Phelps Warden Wilson, which occurred last night at her residence on South Calhoun street.

Mrs. Wilson had been in failing health for several months but it was not anticipated that her condition was beyond the skill of her physicians until a few days ago when it began to be rumored that her life was despaired of.

In social circles Mrs. Wilson was most popular, and as a member of St. Joan's Episcopal church she was loved and valued on account of her many good works. The larger part of her life had been spent in Tallahassee, her birthplace, and she has left a large circle of friends to deplore her loss, and a devoted husband to mourn the wife of his youth. Her last illness was attended by Dr. and Mrs. Hoisey, and Mrs. Dora Hopkins, of Fernandina, cousins of Mrs. Wilson, and Mr. Wilson's sister, Mrs. Frances Hogan, of Memphis, Tenn.

Mrs. Wilson was the daughter and only child of the late Hon. Mariana D. Papy, than whom no son of Florida was ever more sincerely honored and esteemed.

Charles Haynes Sues Out a Writ of Habeas Corpus to Get Child.

BOTH MOTHER AND FATHER WANT BABY

THE MOTHER NOW HAS POSSESSION—COURT COMMISSIONER LANEY IS HEARING EVIDENCE—MRS. HAYNES AND MRS. KELLY EXONERATED AT PRELIMINARY HEARING ON CHARGE OF ASSAULT.

The fight for possession of the infant child of Charles and Louise Haynes, which began Monday, when Mrs. Haynes, formerly Miss Louise Dooley, of this city, returned from Mobile and visiting the home of Perry Haynes, took it from the latter's wife, was carried further into the courts yesterday. Mr. Haynes suing out a writ of habeas corpus to secure possession in which he cited various reasons why he is the proper guardian of the infant. The hearing was commenced before Commissioner Laney yesterday afternoon in the office of the latter, but was not concluded, there being other evidence to be heard before he can render a decision.

The preliminary hearing of Mrs. Louise Haynes, wife of Chas. Haynes of this city, and Mrs. M. Kelly, both of whom arrived Monday from Mobile, and who were arrested at McDavid and brought here, charged with assaulting Mrs. Perry Haynes at her home on West Garden street, resulted in the acquittal of both defendants, the hearing being held before County Judge Bellinger yesterday. Immediately habeas corpus proceedings were instituted by the father for possession of the child.

The child was taken from the home of Mr. and Mrs. Perry Haynes and is still in possession of Mrs. Louise Haynes.

Mrs. Louise Haynes and Mrs. Kelly registered at the Manhattan hotel Monday after they were released on bond.

Fearing that an effort would be made to take the child out of this state, a private detective was stationed at the hotel Monday night in order to prevent any such step. No attempt was made to do this and the detective spent a comparatively easy night at the place.

The matter of who should have possession of the child was brought before Circuit Court Commissioner Chas. H. Laney yesterday on a writ of habeas corpus sued out by Chas. Haynes against his wife.

The hearing lasted several hours, but was not concluded, the case being continued until 3 o'clock this afternoon, when several other witnesses will be examined.

SENSATIONAL SUICIDE.

Cedar Rapids, Iowa, May 18.—A victim of ill health for many years, Miss Mary Sadler, near Toledo, chose a sensational method of suicide. Making an excuse that she was going to the home of her brother, Miss Sadler left home and went to a small ravine where she raked together a pile of leaves, saturated them and herself with kerosene and applied a match.

BAD FIRE AT KINGSTON.

Kingston, Jamaica, May 18.—A destructive fire broke out this morning among the wharves of the Hamburg-American Line and the entire dock, which was 150 feet long, was burned to the water's edge. Two-thirds of the cargo of the steamer Prinz Joachim, which had been landed at the wharf, was destroyed.

MISSISSIPPILIANS DO NOT WANT A 2 CT. R. R. RATE

By Associated Press. Jackson, Miss., May 18.—Petitions and protests bearing fully 50,000 signatures were presented to the Mississippi railroad commission today urging that body not to adopt the flat rate of 2 cents per mile for passenger traffic. Reports from all the common carriers operating in Mississippi are present at the meeting. Boards

of trade and commercial organizations of the principal cities and towns also sent delegations to join in the protest. The petitions from the citizens set forth that the public desires better service instead of cheaper service, that the adoption of the flat rate at this time would be injurious to business conditions and retard work of railroad development and extension.

Lucky Mississippi, Lost Only an Anchor

By Associated Press. Bayou Sara, La., May 18.—The Mississippi river claimed tribute to the big warship named after her and collected it this morning in the form of an anchor. When the chains rattled in at Baton Rouge the one on the port side came up on the port side and the anchor. This is not an unusual experience as the mud at the bottom of the river is very tenacious and soft, not only holding an-

chors fast, but letting them settle in its depths. Port Hudson, off which the first warship Mississippi sank during the civil war, was passed at 7 o'clock. As the big warship passed over the spot where rests the wreck, a national salute of 21 guns was fired and the colors were dipped while the band played the "Star Spangled Banner." Several thousand people lined the shores, waving flags and cheering. Bayou Sara was reached safely at 9:30 o'clock.

(Continued on Third Page.)